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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

BROOKE McLAUGHLIN,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

No. C-04-0960 RS

**STIPULATION TO BIFURCATE TRIAL
 AND TO CONTINUE ALL DATES AND
 DEADLINES, AND ~~PROPOSED~~ ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties, by and through their respective undersigned attorneys, as follows:

1. Trial in this matter should be bifurcated, with an initial trial to be limited to the issue of liability and a later trial, if needed, to determine the amount of damages.

2. All dates and deadlines in this case, including without limitation the deadlines for completion of discovery, the deadlines for expert witness disclosure, the deadlines filing of motions and for submission of pretrial papers, and the trial date, may and should be continued as set forth below. To the extent that this would cause any court appearance to be scheduled for a date or time that the Court would not be available, the parties stipulate that the new date for the court appearance should be the

1 following week.

2 **Event**

Date/Deadline

3	Plaintiff's disclosure of experts in compliance with Rule 26(a)(2)	February 1, 2006
4	Defendant's disclosure of experts in compliance with Rule 26(a)(2)	February 15, 2006
5	Completion of all (fact and expert) discovery	March 31, 2006
6	Deadline for hearing any dispositive motion	March 29, 2006
7	Pretrial Statement Filing Deadline	April 3, 2006
8	Pretrial Conference	2:30 p.m., April 12, 2006
9	Trial	9:00 a.m., April 24, 2006

10 The parties jointly request this continuance due to unexpected difficulties encountered by the
 11 plaintiff in arranging for the deposition of Philip Ratzsch, a witness who currently is incarcerated and has
 12 been advised by counsel not to testify until certain conditions are satisfied.

13 With the exception of the changes in dates set forth above, the parties are not requesting that the
 14 Court otherwise modify or change the Court's July 14, 2004 Case Management Scheduling Order.

15 Respectfully submitted,

16 THE CARTWRIGHT LAW FIRM, INC.

KEVIN V. RYAN
 United States Attorney

17 /s/ Brett A. Burlison

Brett A. Burlison

/s/ Mark St. Angelo

Mark St. Angelo
 Assistant United States Attorney

18 Dated: 8/23/05

Dated: 23 Aug 05

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. With the exception of the changes in dates, all provisions of this Court's Case Management Scheduling Order issued on July 14, 2004 shall remain in effect.

Date: 8/23/05

/s/ Richard Seeborg

Hon. RICHARD SEEBORG
United States Magistrate Judge